

REMARKS

The Official Action mailed September 20, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on October 29, 2003; March 1, 2004; and June 23, 2005.

Claims 6-34 were pending in the present application prior to the above amendment. Independent claims 6-8 and 27 have been amended to better recite the features of the present invention, and new dependent claims 35-38 have been added to recite additional protection to which the Applicants are entitled. Accordingly, claims 6-38 are now pending in the present application, of which claims 6-8 and 27 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 1 of the Official Action rejects claims 6-34 as anticipated by U.S. Patent Application No. 2003/0032210 to Takayama et al. The Applicants respectfully submit that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 6-8 and 27 have been amended to recite bonding a support to a layer to be peeled and irradiating a metal layer with a laser after bonding a support to the layer to be peeled, which is supported in the specification, for example, by Figure 1C. The Applicants respectfully submit that Takayama does not teach the above-referenced features of the present invention, either explicitly or inherently.

Also, the claims have also been amended to remove features which are not believed to be critical to the patentability of the claims.

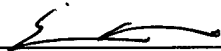
Since Takayama does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

The Official Action provisionally rejects claims 6-34 under the doctrine of obviousness-type double patenting over the combination of claim 17 of copending Application No. 10/193,912 and U.S. Patent No. 6,372,603 to Shimoda et al. In response, the Applicants respectfully request that the double patenting rejections be held in abeyance until an indication of allowable subject matter is made in either the present application or the copending application. At such time, the Applicants will respond to any remaining double patenting rejections.

New dependent claims 35-38 have been added to recite additional protection to which the Applicants are entitled. Claims 35-38 recite that an oxide layer is formed between a metal layer and a substrate, which is supported in the specification, for example by Figure 1A. For the reasons stated above and already of record, the Applicants respectfully submit that new claims 35-38 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789